

The minutes of a regular meeting of the City Council.

Austin, Tex., Dec. 1, 1890.  
Hon. Henry A. Linn, president of the Board of Aldermen  
presiding.

Roll

Roll Call. Present - Aldermen Anderson, Carleton, Abraham, Jackson, Jones, Linn, Kitchik, North, Phillips, Platt, Kingfield, Ziller - 12.

Call.

Absent - Aldermen Asmann, Hume, Metz, Morris, Newton, Schneider, Schuber, Townsend - 5.

minutes.

The minutes of the meetings of the City Council which were held on the 17th and 21st days of November, 1890, were read and adopted.

Ofs. Reports.

Aldermen Schuber and Schneider entered the Council and answered to their names.

The report of the City Marshal, City Sexton, City Physician, and City Treasurer for the month of November 1890 were read and referred to their respective Committees.

Light & W. fund.

Alderman Asmann entered the Council and answered to his name.

The resolution providing for the placing of the water and light fund now in the City Treasury at interest in any of the banks of this City, which was introduced by Alderman Platt at a meeting of the City Council which was held on November 17, 1890, and which was then read and laid over, was taken up and read and on motion of Alderman Platt directed to be printed in full in the synopsis of the minutes of the City Council, and on motion of Alderman Carleton was referred to the City attorney for his written opinion as to the legality of same, said opinion to be furnished to the City Council at its next meeting.

St. A. R.

Alderman Carleton, Chairman of the special Committee, to whom was referred an Ordinance Entitled "An Ordinance granting the right of way to J. J. Tobin, W. H. Tobin, Paul F. Thornton, Jm. Berroughs, A. J. McKean, Nelson Davis, J. B. Fitzhugh, and H. A. Fitzhugh and their successors and assigns, to Construct, maintain and operate street railways along certain streets and Avenues in the City of Austin Travis County, Texas", requested that the Committee be given further time in which to prepare their report. Granted.

Alderman Newton entered the Council and answered to his name.

Broombridge.

The following Communication was introduced, and on motion of Alderman North, referred to the board of public works for their consideration, and by motion of Alderman Platt was directed to be printed in full in the synopsis of minutes of the City Council.  
Austin, Tex., Nov 21, 1890.

To the Honorable Mayor and Board of Alderman, of the City of Austin:

Dear Sirs - In view of the delay and difficulties attending the procuring for us right of way over such streets of the City as would make the building of a road practicable, or the franchise at all desirable, and owing to the dissatisfaction manifested by some of our good citizens at our occupying Fourth and part of Fifth streets (which is absolutely necessary), and for the purpose of relieving your honor and your honorable body from present embarrassments and that good feeling may be restored and harmony established, we are willing to surrender our franchise to your honorable body upon your reimbursing us for all of our outlay thus far expended, so that you may build and operate said road as may suit you and the good citizens best. We have suspended work and will not resume until right of way is assured us through city limits without cost to us.

Respectfully,

Geo. W. Brackenridge,  
and associates

By J. J. Brackenridge, attorney in fact and Agent."

St. crossings.

Alderman North introduced "An Ordinance appropriating the sum of \$2000 for the laying of Stone Crossings across Congress Avenue and East and West Sixth Street." Read, and on motion of Alderman Kitchie referred to the street Committee.

Dec. Salaries

Alderman Anderson introduced an Ordinance appropriating the sum of \$3200 for the purpose of paying officers and regular employees of the city for the month of December, A. D. 1890. It was read first time after which motions were made to suspend the rules and place the Ordinance on its second and third readings and that it do pass, all of which were adopted by the following vote and duly complied with - Yeas - Aldermen Anderson, Hermann, Carleton, Graham, Jackson, Jones, Linn, Newton, Kitchie, North, Phillips, Platt, Schneider, Schuber, Wingfield, Zeller - 16.

Print minutes.

Alderman Platt presented a resolution requiring the proceedings of the City Council to be published in pamphlet form.

Alderman Anderson moved to refer it to the printing Committee. Carried.

Alderman Platt moved that the printing Committee be instructed to report the cost of printing the present synopsis and also the minutes in pamphlet form. Adopted.

Robt. Schiffer

Alderman Anderson presented, by request, a petition from Robert Schiffer requesting permission to run a shooting gallery in the rear of the saloon known as the Denver Exchange, situated on Congress Avenue. Referred to the police Committee.

C. H. C. # -

Alderman Phillips moved that the street Commissioner be instructed to properly fill the premises of the East Austin

Hose Company.

Alderman North moved to amend the motion by adding that the work be done by the Street Commissioner under the supervision of the Street Committee. The amendment was accepted and the motion as amended was adopted.

adjourned

Alderman Anderson moved that the Council stand adjourned until 8 o'clock p.m. Wednesday Dec. 3, 1890.

Alderman Giller moved as a substitute that the Council stand adjourned until 8 p.m. Saturday Dec. 6, 1890. The substitute was lost by the following - Yeas - Aldermen Asmann, Graham, Jackson, Jones, Platt, Wingfield, Giller - 7.

Nays - Aldermen Anderson, Carleton, Linn, Newton, Kitchke, North, Phillips, Schneider, Schuber - 9.

The motion made by Alderman Anderson was then adopted.

Milton Morris,  
City Clerk.

The minutes of an adjourned meeting of the City Council.

Austin, Tex., Dec. 3, 1890.

Roll

Hon. John W. Donald, Mayor, presiding.  
Roll called. Present Aldermen Jackson, Jones, Linn,  
North, Phillips, Platt, Schneider, Schubert, Townsend,  
Ziller - 10.

Call.

Absent Aldermen Anderson, Assmann, Carleton,  
Graham, Hume, Metz, Morris, Newton, Mitschke,  
Wingfield - 10.

Call of Council.

A Call of the Council was duly adopted and the  
marshal sent after the absentees.

Roll

Alderman North moved that the Council take  
a recess of ten minutes or until a sufficient  
number of the absentees to enable the Council to  
proceed with business shall appear. Carried.  
At the expiration of the recess the roll was again  
called with the following result:

Call.

Anderson, Assmann, Jackson, Present Aldermen  
Jones Linn, Newton, Mitschke, North, Phillips,  
Platt, Schneider, Schubert, Townsend, Wingfield, Ziller - 15.  
Absent Aldermen Carleton, Graham, Hume, Metz,  
Morris - 5.

Call Suspended.

Alderman Phillips moved to suspend the Call of the Council.  
Adopted.

Election.

Alderman Linn moved that the Chair appoint a  
Special Committee of three to canvass the returns of the  
election held in this city on Monday, December 1, 1890,  
for the purpose of electing one Alderman in each of  
the several wards. Aldermen Carleton and Graham entered  
the Council and answered to their names.)

The above motion prevailed and the Chair appointed  
Aldermen Linn, Anderson and Schneider, who, after  
canvassing the returns, submitted a report showing the  
following as the result of the election:

First Ward - W. J. Suter received 127 Votes.  
E. Linceo received 106 Votes.  
Suter's majority 21 Votes.

Second Ward - W. F. North, received 55 Votes.

Third Ward - J. B. Morris, received 37 Votes.

Fourth Ward - W. Ziller received 46 Votes.  
A. H. Denton received 1 Vote.  
Ziller's majority 45 Votes.

Fifth Ward - A. W. Townsend received 62 Votes.

Sixth Ward - J. W. Graham received 125 Votes.  
J. B. Bernard " 15 Votes.  
Graham's majority 50 Votes.

Seventh Ward - J. B. Mitschke received 183 Votes.  
 W. M. Brown received 64 Votes.  
 Mitschke's majority 119 Votes.

Eighth Ward - A. H. Newton received 69 Votes.

Ninth Ward - R. Platt received 135 Votes.  
 J. Cummings received 87 Votes.  
 Platt's majority 48.

Tenth Ward - W. A. Glass received 174 Votes.  
 Randolph Lawrence recd. 123 Votes.  
 Glass' majority 51 Votes.

The mayor then declared W. J. Sutor, W. F. North, J. S. Morris, W. Giller, A. W. Townsend, J. W. Graham, J. B. Mitschke, A. H. Newton, R. Platt, and W. A. Glass duly and Constitutionally elected aldermen of the City of Austin from their respective wards for the ensuing term.

Alderman Linn then moved that the City Clerk be directed to notify all of the newly elected aldermen except J. S. Morris, who is absent from the state, of their election and to appear at the City Council room and qualify on next Saturday night, Dec. 6, 1890. Carried.

Alderman Carleton moved to suspend the regular order of business for the purpose of receiving and considering Communications from the board of public works. Adopted.

The following was then read:

"Office of Board of Public Works,  
 Austin, Texas, Dec. 5, 1890.

Hon. Mayor and City Council, Austin, Texas:

Gentlemen: I have the honor to inform you that the following was adopted by the board of public works at a meeting held on this date.

Resolved, That the City Council be requested to appropriate the sum of ten thousand dollars (\$10,000) or so much thereof as may be necessary for the purpose of acquiring right of way over the streets ordained to be opened on the 21<sup>st</sup> day of November, 1890.

John McDonald, Mayor, Pres.  
 Board of Public Works.

Attest: W. J. Alliphant, Secy."

Alderman North then introduced an Ordinance entitled "An Ordinance opening the hereinafter named streets and appropriating the sum of ten thousand dollars, or so much thereof as may be necessary for the purpose of paying the cost and expense of opening the extension of West Fourth and West Fifth streets to the western City limits."

Pub. Pub. W. K.

\$10,000 to open  
 4<sup>th</sup> + 5<sup>th</sup> Sts.

The Ordinance was read the first time, after which a motion was made and seconded to suspend the rules and place the Ordinance on its second reading.

The following was then read:

Breckenridge railroad

"San Antonio, Tex., Nov. 25, 1890.  
To the Hon. Mayor and City Council, Austin, Texas:

Gentlemen - I am advised that at the meeting of your honorable body, on the 21st inst., the right of way heretofore granted to myself and associates was extended, so as to embrace a line from the corner of Fourth and Rio Grande streets through the rear part of property belonging to the Mc Donald estate; thence westward through Burnett Street to city limits.

From the imperfect map before me, I find it difficult to trace the lines, but take it for granted, that in your superior knowledge, you were able to decide what was best in the interest of the city, should be done, and were competent to give the right of way as indicated.

I will immediately place engineers on the ground to locate the line of route, in which we hope for the Co-operation of your City Engineer, and if permitted without interference from property holders upon, and adjoining the line will immediately construct road to the dam.

Very Respectfully,

Geo. W. Breckenridge."

Carrigan Contract - read

Alderman Giller called for the reading of that portion of the Contract for the construction of the proposed dam across the Colorado river which relates to railroad facilities, and the same was read as follows:

"This Contract is Conditional upon a railroad being constructed by the city, or some persons other than the Contractor, from the depots in the city of Austin to the site of the proposed dam, and the said city guarantee to the said Contractor the use of the said railroad track free of charge for hauling all material for the construction of the dam. It is understood that all time which may be lost by the Contractor by reason of non-completion of said railroad shall be credited to said Contractor at the time stipulated for the completion of said dam." The city attorney was asked to give his opinion as to the effect upon the city of the above conditions, and he stated that as the Contract was quite lengthy he would prefer to have time to carefully examine it, and that he would like to have Alderman North, Carleton and Phillips, who are attorneys, appointed a Committee to confer with him upon the question.

Alderman Linn then moved that the Contract be



referred to the Committee - asked for by the City attorney for a report on the point under consideration, said report to be submitted to the City Council on next Saturday night.

The motion was adopted.

4th + 5th Dks.

The motion above stated to suspend the rules and place the ordinance appropriating \$10,000.00 to extend and open West Fourth and Fifth streets was then voted upon and was lost by the following vote -  
Yeas - Aldermen Andersen, Graham, Jones, Linn, North, Phillips, Schubert, Townsend - 8.

Nays - Aldermen Assmann, Carleton, Jackson, Newton, Nitschke, Plath, Schneider, Wingfield, Ziller - 9.

Railroad to dam.

Alderman Carleton moved that a special Committee of three be appointed to wait upon capitalists of the city for the purpose of ascertaining if a proposition can be procured from them to build a railroad from the eastern portion of the city through to the site of the proposed dam.

The motion prevailed and the Chair appointed aldermen Carleton, Schneider, and Plath as such Committee.

Bd. P. Wks - Stroeter.

The following Communications from the board of public works were then read:

" Austin, Nov. 29, 1890.  
To the Honorable Board of Public Works of the City of Austin:

Gentlemen - We, the undersigned Committee appointed by you at your last meeting to consider the proposition of H. W. Stroeter, beg leave to report: That we advise that the city pay said Stroeter \$500 for a release from all damages to the Bee Springs property arising from the construction of the dam. The city to retain the right to use rock below the 60-foot water line and right to confer the same privilege on others.

John Hanesek,  
W. C. Walsh,  
J. W. Gregory. "

" Office of Board of Public Works,  
Austin, Tex; Dec. 3, 1890.

Honorable City Council City of Austin.

Gentlemen - I have the honor to report that the inclosed report of a special Committee on the Bee Springs property was adopted at a meeting of the board of public works at a meeting held on this date, and that an motion of said board the Council was requested to appropriate five hundred dollars (\$500), to pay the damages to said property.

Respectfully,

John M. Donald, Mayor, President

Board of Public Works.

Attest: W. J. Oliphant, Secretary."

Alderman North then introduced an Ordinance entitled "An Ordinance appropriating five hundred dollars out of the water works fund to pay H. W. Straeter for a release for all damages to property known as the Bee Springs property."

It was read the first time after which a motion was made to suspend the rules and place the Ordinance on its second reading which was adopted by the following Vote - Yeas - Aldermen Anderson, Assmann, Graham, Jackson, Jones, Linn, Newton, Kitschke, North, Phillips, Platt, Schneider, Schuber, Townsend, Wingfield - 15.

Nays - Aldermen Carleton, Ziller - 2.

The Ordinance was read a second time after which a motion was made to suspend the rules and place the Ordinance on its third reading which was adopted by the following Vote - Yeas - Aldermen Anderson, Assmann, Carleton, Graham, Jackson, Jones, Linn, Newton, Kitschke, North, Phillips, Platt, Schneider, Schuber, Townsend, Wingfield - 16.

Nay - Alderman Ziller.

The Ordinance was then read a third time and an motion was passed by the following Vote - Yeas - Aldermen Anderson, Assmann, Graham, Jackson, Jones, Linn, Newton, Kitschke, North, Phillips, Schneider, Schuber, Townsend, Wingfield - 14.

Nays - Aldermen Carleton, Platt, Ziller - 3.

Street fence.

Alderman Anderson introduced an Ordinance appropriating \$511.50 for the purpose of paying the extra street force for the month of November, 1890.

It was read first time after which motions were made to suspend the rules and place the Ordinance on its second and third readings and that it do pass, all of which were adopted by the following Vote - Yeas - Aldermen Anderson, Assmann, Carleton, Graham, Jackson, Jones, Linn, Newton, Kitschke, North, Phillips, Platt, Schneider, Schuber, Townsend, Wingfield, Ziller - 17.

Judges.

Alderman Anderson also presented an Ordinance appropriating \$120 for the purpose of paying Judges, Clerks, and rent of rooms for the Election held on Dec. 1, 1890.

It was read the first time after which motions were made to suspend the rules and place the Ordinance on its second and third readings both of which were adopted by a vote of two-thirds of the the whole Council and were duly complied with and an motion the Ordinance was passed.

The Council then adjourned.

Milton Morris,  
City Clerk.